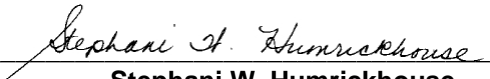


**SO ORDERED.**

**SIGNED this 24 day of February, 2011.**

  
**Stephani W. Humrickhouse**  
**United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**CASE NO.**

**RALPH HENRY LEYRER, JR.**

**10-01582-8-SWH**

**DEBTOR**

**ORDER SUSTAINING OBJECTION TO CONFIRMATION**

The matter before the court is the objection to confirmation filed by the debtor on grounds that the confirmation order filed by the chapter 13 trustee uses the Till interest rate with regard to the treatment of unsecured creditors rather than the federal judgment rate, which is what the debtor contends should apply. A hearing took place in Raleigh, North Carolina, on January 26, 2011.

Ralph Henry Leyrer, Jr., filed a petition for relief under chapter 13 of the Bankruptcy Code on March 1, 2010. On October 20, 2010, the chapter 13 trustee filed a motion for confirmation of the chapter 13 plan. As proposed by the trustee, the plan pays allowed general unsecured claims in full plus interest at 5.25%, which is the Till rate. See Till v. SCS Corp., 541 U.S. 465, 124 S. Ct. 1951, 158 L. Ed. 2d 787 (2004). The debtor objects to use of the Till rate and argues that the federal judgment rate is the appropriate rate of interest.

This issue recently arose in another case in this district and, because the court concurs with that result and in the interest of consistency, the court adopts in its totality the reasoning set out by Judge J. Rich Leonard in In re Suggs, Case No. 10-04400-8-JRL (Bankr. E.D.N.C. Feb. 22, 2011) (Order Sustaining Debtors' Objection to Confirmation of Plan).

Accordingly, for the reasons set forth in Suggs, the objection to confirmation is **ALLOWED**. The plan shall provide for interest payments to unsecured creditors both pre- and post-confirmation at the federal judgment rate pursuant to § 1325(a)(4).

**SO ORDERED.**

**END OF DOCUMENT**